

PATENT COOPERATION TREATY

From the
INTERNATIONAL PRELIMINARY EXAMINING AUTHORITY

To:
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PCT

WRITTEN OPINION

(PCT Rule 66)

Date of Mailing (day/month/year) 22 NOV 2004	
Applicant's or agent's file reference P11860PCT	REPLY DUE within 2 months/days from the above date of mailing
International application No. PCT/US02/17270	International filing date (day/month/year) 31 May 2002 (31.05.2002)
Priority date (day/month/year) 15 June 2001 (15.06.2001)	
International Patent Classification (IPC) or both national classification and IPC IPC(7): H04N 9/00; H04N 7/173, 7/16 and US Cl.: 725/9-22; 725/86-134	
Applicant INTEL CORPORATION	

1. This written opinion is the first (first, etc.) drawn by this International Preliminary Examining Authority.
2. This opinion contains indications relating to the following items:
 - I ☒ Basis of the opinion
 - II ☐ Priority
 - III ☐ Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
 - IV ☐ Lack of unity of invention
 - V ☒ Reasoned statement under Rule 66.2 (a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
 - VI ☐ Certain documents cited
 - VII ☐ Certain defects in the international application
 - VIII ☐ Certain observations on the international application
3. The applicant is hereby **invited to reply** to this opinion.

When? See the time limit indicated above. ~~The applicant may, before the expiration of that time limit, request this Authority to grant an extension. See rule 66.2(d).~~

How? By submitting a written reply, accompanied, where appropriate, by amendments, according to Rule 66.3. For the form and the language of the amendments, see Rules 66.8 and 66.9.

Also For an additional opportunity to submit amendments, see Rule 66.4.
For the examiner's obligation to consider amendments and/or arguments, see Rule 66.4 bis.
For an informal communication with the examiner, see Rule 66.6

If no reply is filed, the international preliminary examination report will be established on the basis of this opinion.
4. The final date by which the international preliminary examination report must be established according to Rule 69.2 is: 30 September 2004 (30.09.2004)

Name and mailing address of the IPEA/US Mail Stop PCT, Attn: IPEA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (703) 305-3230	Authorized officer Chris Grant Telephone No. (703) 305-4700
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WRITTEN OPINION

International application No.

PCT/US02/17270

I. Basis of the opinion

1. With regard to the elements of the international application:*

- ☒ the international application as originally filed
- ☒ the description:
 pages 1-33, as originally filed
 pages NONE, filed with the demand
 pages NONE, filed with the letter of _____.
- ☒ the claims:
 pages 34-44, as originally filed
 pages NONE, as amended (together with any statement) under Article 19
 pages NONE, filed with the demand
 pages NONE, filed with the letter of _____.
- ☒ the drawings:
 pages 1-12, as originally filed
 pages NONE, filed with the demand
 pages NONE, filed with the letter of _____.
- ☐ the sequence listing part of the description:
 pages NONE, as originally filed
 pages NONE, filed with the demand
 pages NONE, filed with the letter of _____.

2. With regard to the language, all the elements marked above were available or furnished to this Authority in the language in which the international application was filed, unless otherwise indicated under this item.

These elements were available or furnished to this Authority in the following language _____ which is:

- ☐ the language of a translation furnished for the purposes of international search (under Rule 23.1(b)).
- ☐ the language of publication of the international application (under Rule 48.3(b)).
- ☐ the language of the translation furnished for the purposes of international preliminary examination (under Rules 55.2 and/or 55.3).

3. With regard to any nucleotide and/or amino acid sequence disclosed in the international application, the written opinion was drawn on the basis of the sequence listing:

- ☐ contained in the international application in printed form.
- ☐ filed together with the international application in computer readable form.
- ☐ furnished subsequently to this Authority in written form.
- ☐ furnished subsequently to this Authority in computer readable form.
- ☐ The statement that the subsequently furnished written sequence listing does not go beyond the disclosure in the international application as filed has been furnished.
- ☐ The statement that the information recorded in computer readable form is identical to the written sequence listing has been furnished.

4. ☒ The amendments have resulted in the cancellation of:

- ☒ the description, pages NONE
- ☒ the claims, Nos. NONE
- ☒ the drawings, sheets/fig NONE

5. ☐ This opinion has been drawn as if (some of) the amendments had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).

* Replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this opinion as "originally filed."

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V. Reasoned statement under Rule 66.2(a)(ii) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. STATEMENT

Novelty (N)	Claims <u>2-49</u>	YES
	Claims <u>1</u>	NO
Inventive Step (IS)	Claims <u>NONE</u>	YES
	Claims <u>1-49</u>	NO
Industrial Applicability (IA)	Claims <u>1-49</u>	YES
	Claims <u>NONE</u>	NO

2. CITATIONS AND EXPLANATIONS

Claim 1 lacks novelty under PCT Article 33(2) as being anticipated by Graves (US Patent # 5,410,344).

Regarding claim 1, Graves discloses the program is broadcasted (column 3, lines 10-22). Graves discloses content headers (column 4, line 52-column 5, line 43), which meets the limitation on broadcasting content descriptors, which describe available content, to one or more clients.

Graves discloses the user can rate the program (column 6, line 53-column 7, line 36), which meets the limitation on receiving feedback from the one or more clients regarding the content descriptors.

Graves discloses the most preferred programs are stored (column 6, lines 17-52), which meets the limitation on refining a list of available content in response to the feedback and broadcasting content listed in the refined list of available content to the one or more clients.

Claims 2-49 lacks an inventive step under PCT Article 33(3) as being obvious over Graves.

Regarding claim 2, the limitations in claim 2 have been met in claim 1 lack of novelty. Graves lacks an inventive step for the additional limitations.

Regarding claim 3, the limitations in claim 3 have been met in claim 1 lack of novelty. Graves lacks an inventive step for the additional limitations.

Regarding claims 4-10, the limitations in claims 4-10 have been met in claim 1 lack of novelty. Graves lacks an inventive step for the additional limitations.

Regarding claim 11, Graves discloses the content is television programs (column 3, lines 10-53), which meets the limitation on video clip.

Regarding claims 12-49, the limitations in claims 12-49 have been met in claim 1 lack of novelty. Graves lacks an inventive step for the additional limitations.

----- NEW CITATIONS -----

US 5,410,344 A (GRAVES et al) 25 April 1995, see column 2-10

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Supplemental Box

(To be used when the space in any of the preceding boxes is not sufficient)

TIME LIMIT:

The time limit set for response to a Written Opinion may not be extended. 37 CFR 1.484(d). Any response received after the expiration of the time limit set in the Written Opinion will not be considered in preparing the International Preliminary Examination Report.